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5 IN THE UNITED STATES DISTRICT COURT

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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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SECURITIES AND EXCHANGE,

No. C 12-05116 WHA

Plaintiff,

v.

ORDER TO SHOW CAUSE

LION CAPITAL MANAGEMENT, LLC
and HAUSSMANN-ALAIN BANET,

Defendants.

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On January 24, this civil action was stayed due to defendant Haussmann-Alain Banet's related criminal case. On August 1, a case management conference was held, following which the stay was lifted (Dkt. No. 22). The amended case management order states that plaintiff SEC must "promptly file for entry of default" following Mr. Banet's sentencing on August 6. Several weeks have passed since Mr. Banet was sentenced in his criminal case, and no such motion has been filed.

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The SEC is hereby **ORDERED TO SHOW CAUSE** as to why this case should not be dismissed for failure to prosecute. The SEC may file a motion for default judgment (noticed on a 35-day track), due by **NOON ON AUGUST 28**.

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IT IS SO ORDERED.

Dated: August 21, 2013.

Wm. Alsup

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE